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General and complete disarmament: implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Security Council
Seventy-second year

Letter dated 26 October 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement by the Ministry of Foreign Affairs of the Russian Federation concerning attempts to distort the Russian position in the Security Council vote on the draft resolution on extending the mandate of the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism to investigate cases of possible use of chemical weapons in the Syrian Arab Republic (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under item 99 (l) of the agenda, and of the Security Council.

(*Signed*) V. **Nebenzia**

17-19203 (E) 311017 081117

Please recycle

Annex to the letter dated 26 October 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement by the Ministry of Foreign Affairs of the Russian Federation concerning the attempts to distort the Russian position in the Security Council vote on the draft resolution on extending the mandate of the Joint Investigative Mechanism

The Ministry of Foreign Affairs of the Russian Federation expected that, immediately after the draft resolution of the United States of America on extending the mandate of the Organisation for the Prohibition of Chemical Weapons (OPCW)-United Nations Joint Investigative Mechanism (JIM) was vetoed, on 24 October, sharp attacks would be made on us by representatives of a number of Western countries. The level of brazenness was off the scale. We are not concerned about the attitude towards their own reputations of those who once again swooped in to mischaracterize our approach. Nevertheless they should be reminded about what is admissible in international affairs, and what should be avoided.

The Press Secretary of the White House, for example, went so far as to say that Moscow is endorsing "the Assad regime's use of chemical weapons against innocent women and children". The Permanent Representative of the United States of America to the United Nations did not hold back either, alleging that the Russian Federation "once again sides with the dictators and terrorists who use these weapons".

We call on our American colleagues to observe at least a minimum of decorum. In civilized international relations it is not acceptable to distort an opponent's position so crudely, simply in order to expose the opponent afterwards and cast the opponent in an unfavourable light. The White House and the State Department cannot fail to understand that what we were opposing was not an extension of the mandate of JIM, but the adoption of a hasty decision on the matter, without taking into account the anticipated report on the work of JIM over the past year, about which little is known as yet. In our view it would be unprofessional and irresponsible to follow the lead of the United States of America and mindlessly rubber stamp a far-reaching decision without even reviewing the situation. Indeed, such a review must be carried out, and in depth, for the following reasons:

The use of sarin in Syrian Khan Shaykhun on 4 April 2017 and the subsequent course of events demonstrated very serious systemic problems in the work of the OPCW Fact-Finding Mission and JIM. This includes selective fulfilment of mandates, unpreparedness or inability to use the full range of investigation methods envisaged in the Chemical Weapons Convention, and outright refusal to conduct an investigation at the site of the incident, and even, as recently came to light, an attempt — involving the Fact-Finding Mission — to mislead the international community regarding the possibilities of safe access to Khan Shaykhun. It is clear that if we really want to identify the culprits in the use of chemical weapons, these basic deficits must be quickly remedied. But it seems that the current state of affairs is entirely satisfactory for Western colleagues. Indeed, they are desperately trying to leave everything as it is. And that is because their goal is not to establish the truth, but to use high-profile international structures to increase pressure on Damascus.

Back in April, when the Russian Federation was urging the immediate dispatch of inspectors to Khan Shaykhun and the Sha'irat airbase, where sarin used in Khan Shaykhun was allegedly stored, these countries blocked the draft decisions we proposed in the Security Council and in the OPCW Executive Council. There are

strong grounds to believe that these same countries subsequently put heavy pressure on the Fact-Finding Mission and JIM for their representatives not to go to those sites in the Syrian territory under any circumstances. They were able to insist on this because, in violation of international rules and norms, two British citizens head the Fact-Finding Mission.

The national reports of the United Kingdom, France and Turkey, which reached an unquestioned conclusion that the Syrian air force bears responsibility for the use of sarin in Khan Shaykun, constituted another form of pressure on the investigative structures and an attempt to "indoctrinate" them. The fact that the special services of these States had no problem taking samples at the site of the incident demonstrates how free and easy their operatives feel in territories controlled by the most radical Jihadist groups. However, these countries did not want to assist the representatives of the Fact-Finding Mission in visiting the site of the incident. Our request to share details of the national investigation was met by the British, for example, by a categorical refusal.

All this too is no accident. What this amounts to is a consistent course, which raises even bigger questions, taken by those who are now trying to attach labels to us. It is noteworthy that all attempts by the Russian Federation over the last few years to elicit a reaction from the Security Council to the crimes of terrorists using chemical weapons have been aggressively blocked every time by the Western "troika". This borders on open shielding of terrorists.

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General and complete disarmament: implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Security Council
Seventy-second year

Letter dated 25 October 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith comments by the Information and Press Department of the Ministry of Foreign Affairs of the Russian Federation concerning the Syrian chemical dossier (see annex I), and also a statement by the Ministry of Foreign Affairs of the Russian Federation concerning the vote in the Security Council on 24 October 2017 on a resolution to extend the mandate of the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism to investigate incidents of use of chemical weapons in the Syrian Arab Republic (see annex II).

I should be grateful if you would have this letter and its annexes circulated as an official document of the General Assembly, under agenda item 99 (l), and of the Security Council.

(*Signed*) V. **Nebenzia**

17-19309 (E) 031117 091117

Please recycle

Annex I to the letter dated 25 October 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Comments by the Information and Press Department of the Ministry of Foreign Affairs of the Russian Federation concerning the Syrian chemical dossier

23 October 2017

In recent days the Security Council has once again focused its attention on the Syrian chemical dossier in connection with the anticipated release on 26 October of the regular report of the Organisation for the Prohibition of Chemical Weapons (OPCW)-United Nations Joint Investigative Mechanism (JIM) to investigate incidents of use of chemical weapons in the Syrian Arab Republic, and also the expiry of the mandate of JIM on 16 November 2017.

Over the six months since the notorious chemical incident in Khan Shaykhun on 4 April 2017, the OPCW Fact-Finding Mission, and then JIM, carried out extensive work, but all of it was done remotely, and without revealing the sources of information or other essential data, as required under the Chemical Weapons Convention. From the very outset, we have insisted that, in the interests of carrying out a fully professional and objective investigation, the international experts, in line with the standards of the Convention, should visit the site of the incident, as well as the Syrian airbase at Sha'irat, where, according to the United States of America, sarin used in Khan Shaykhun was stored. In May-June OPCW assured us that it was working on securing safe access to Khan Shaykhun, but it later declared that there was no need to visit the site because, supposedly, the use of sarin could be considered an established fact. The very same position was then taken by JIM as well. Recently, however, the Department of Safety and Security of the United Nations Secretariat informed the Security Council that there were actually guarantees of safe access to Khan Shaykhun, but the inspectors simply did not want to take advantage of them.

A strange situation also arose in connection with the issue of visiting the Sha'irat airbase. At our insistence, JIM representatives recently went to the base, but categorically refused to take samples in order to establish the presence or absence of sarin. With such an attitude, it is difficult, if not impossible, to expect a high-quality outcome of the investigation.

The United States of America is insisting on the immediate adoption, practically straightaway, of a resolution on extending the mandate of JIM. At the same time it is grossly distorting the Russian position by claiming that, allegedly, Moscow will block the extension of the mandate if the JIM findings have an anti-Syrian slant. Such allegations are completely groundless. Firstly, no one has seen any findings, since there is as yet no report, and Washington's desire under these circumstances to extend the mandate at all costs looks a little strange, to put it mildly. Secondly, we have always said and continue to maintain that our position on the extension of the mandate of JIM will depend, not on who will be found at fault, but on the quality of the investigation and its conformity with the requirements of the Convention.

In order for the Security Council to take a well-grounded decision on this issue, it is necessary, first, to read the report, particularly since the Security Council has not received any meaningful information about the work of JIM over the past year. There is no report, and yet they are insisting on extending the mandate. This

will not do. It is necessary to act in accordance with established practice: first, read the report on the outcome of the work of JIM, the structure created by the Security Council, over the period under review, and then consider the question of extending the mandate. There is no need to whip up hysteria once again.

Annex II to the letter dated 25 October 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement by the Ministry of Foreign Affairs of the Russian Federation concerning the vote in the Security Council on a resolution to extend the mandate of the Joint Investigative Mechanism

24 October 2017

On 24 October 2017, the Security Council voted on the draft resolution submitted by the United States of America calling for a hasty extension of the mandate of the Organisation for the Prohibition of Chemical Weapons (OPCW)-United Nations Joint Investigative Mechanism (JIM) to investigate cases of use of chemical weapons in the Syrian Arab Republic even before the release of a report by JIM on its work over the past year.

The Russian Federation voted against the draft resolution for reasons that we have explained repeatedly in public statements and in working contacts with other Security Council members. The main reason is that it makes no sense to adopt such important decisions without even assessing the performance of JIM. Without such an assessment, it is impossible to determine whether its mandate should be extended as is, or whether it should be renewed and adjusted, as envisaged in the Security Council's previous resolution 2319 (2016).

The Americans chose to proceed with a premature vote on the draft resolution in disregard of basic logic and of the long-established procedures of the Security Council. They were obviously guided by their own considerations, that are far removed from the purpose of the establishment of JIM. It has already become their trademark to rush headlong, crudely and brazenly imposing their position on others without taking the trouble to make any coherent arguments. We see this clearly in how allegations of Russian interference in the domestic affairs of the United States of America are being imposed on American society. The same methods are being used in the international arena. Damascus is being groundlessly accused of crimes and Moscow is being charged with allegedly providing cover. They lie shamelessly. They are literally holding hostage both JIM, and OPCW, as well as the Security Council, and their intransigence is not tempered by international law, diplomatic rules or even common sense.

This course of action is causing direct damage to the foundations of multilateral diplomacy, eviscerating the work of international bodies, including JIM, and reshaping it to suit American interests.

Our position is abundantly clear and consistent: those responsible for the use of chemical weapons must be identified and duly punished. We were present from the start at the founding of JIM, and we hoped that its work would throw light on chemical crimes committed in Syria. In 2016 we agreed twice to extend the operation of JIM, broaden its scope to territories adjacent to Syria, and give its mandate an anti-terrorist focus. So we are now entitled to ask what has actually been done to carry out these decisions. What has the quality of the investigation been? To what extent does this work meet the high standards of the Chemical Weapons Convention? Is there not a need to make adjustments in order to make JIM more effective? Instead we are being asked to extend its mandate sight unseen. Apparently, they are afraid that a thoughtful analysis will lead to conclusions that Washington will not like.

The Russian Federation has always advocated that JIM should carry out its work in a systematic and organized manner. JIM is expected to produce a report on its performance in the very near future. We will study it very thoroughly and then suggest how to proceed.

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General and complete disarmament: implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Security Council
Seventy-second year

Letter dated 24 October 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General*

I have the honour to transmit herewith an assessment of the Russian Federation regarding the investigative methods employed by the Organisation for the Prohibition of Chemical Weapons fact-finding mission in relation to an alleged incident involving the use of a chemical weapon in Khan Shaykun (Syrian Arab Republic) on 4 April 2017 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 99 (l), and of the Security Council.

(*Signed*) V. Nebenzia

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17-18911* (E) 091117 091117

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Annex to the letter dated 24 October 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: English]

Assessment of the investigation methods of the alleged CW's use in Khan Shaykhun 4 April, 2017

On the Note by the OPCW Technical Secretariat (hereinafter "Secretariat") "Further clarifications why the OPCW Fact-Finding Mission did not deploy to Khan Shaykhun" (S/1545/2017 dated 17 October 2017, hereinafter "the Note").

It is well-known that investigations in cases of alleged use of chemical weapons should be conducted in accordance with the provisions of Part XI of the Annex on Implementation and Verification to the CWC and the procedures that are to be established by the Director-General (Part XI, Paragraph 1).

During the investigation samples of importance include toxic chemicals, remnants of munitions and devices, environmental and biomedical samples (Part XI, Paragraph 17). The baseline principle of an investigation is compliance with the chain of custody, set out in the CWC, the OPCW manual, including the Secretariat's document "The chain of custody and documentation for OPCW samples on-site", dated 12 August 2013, pursuant to which "in case that the integrity of a sample is questionable (when there has been a time when the sample was not under the OPCW custody) ... such a sample will not be accepted for OPCW verification purposes". As it is stated in the FFM report (S/1510/2017 dated 29 June 2017) this principle was not observed in relation to the samples made available by the interviewees ("lacking full chain of custody by the team"). So, to our regret, in accordance with the abovementioned document, we cannot accept the argument that "the FFM, as applicable, adheres to the most stringent OPCW guidelines and procedures, including those regarding chain of custody ... from the time of collection or receipt of evidence, including samples, by the FFM" (Paragraph 7 of the Note).

The only material evidence collected by the FFM experts (even those on the territory of a "neighbouring country") are biomedical samples. However they only testify that the victims suffered from Sarin or a Sarin-like substance. They do not provide any answers to the questions about where and under what circumstances that exposure happened, as well as who these people — (the "donors") actually were.

As it is stated in the Note the Director-General, referring to the unfavourable security situation, decided that the FFM would not undertake an on-site visit to Khan Shaykhun. So, the FFM "team could not ... observe, assess or record the location of the alleged incident, could not canvass directly for other witnesses, and could not collect environmental samples and/or remnants of the alleged munitions" (Paragraph 3.13 of the Report, S/1510/2017 dated 29 June 2017). Therefore the only conclusion is possible: the FFM did not succeed in obtaining key material evidence.

Hence all the other conclusions of its work are based not on primary but indirect evidence, the overwhelming majority of which was "kindly" provided to the FFM by individuals from the opposition forces hostile to the government of Syria and NGOs that had completely discredited themselves, such as the "White Helmets".

Bearing in mind that Paragraph 6 of the UN Security Council Resolution 2209 (2015) and Paragraph 7 of the UN Security Council Resolution 2235 (2015) contain

a call on all parties in Syria to extend their full cooperation to the OPCW Fact-Finding Mission, one can clearly state that the armed groups controlling the area where Sarin was used on April 4, 2017 and failing to provide access to the international experts were in reality not interested in conducting a full-fledged investigation. It is perplexing that in the report presented to the OPCW Executive Council and then transferred to the UN Secretary-General the FFM did not even mention the forces that had denied such an access to the team despite the assurances of the General Coordinator of the "High Negotiations Committee of the Syrian Opposition" Riyad Hijab addressed to the Chair of the UN Security Council.

Unlike Khan Shaykhun, the security conditions cannot in any case be used as a justification of the FFM refusal to visit the "Shayrat" airbase. As early as the beginning of April the Government of Syria gave official guarantees to provide a safe access to this facility. Moreover, Damascus demanded for such a visit to be organised immediately, thus confirming the readiness to comply with its obligations deriving from Paragraph 12 of the FFM Terms of Reference (Annex to the Note by the OPCW Secretariat S/1255/2015 dated 10 March 2015) and Paragraph 15 of Part XI of the Annex on Implementation and Verification to the CWC. It states clearly that "the inspection team (of the OPCW) shall have the right of access to any and all areas which could be affected by the alleged use of chemical weapons", as well as to "locations it deems relevant to the effective investigation of the alleged use of chemical weapons". Besides, as it is reasonably outlined in the Note (Paragraph 4), the requirement for the FFM "to study all available information relating to allegations of the use of chemical weapons in Syria" is also present in the OPCW Executive council decisions EC-M-48/DEC.1, dated 4 February 2015 and EC-M-50/DEC.1, dated 23 November 2015, as well as in the UN Security Council Resolution 2209 (2015). The latter documents provide the FFM with a much broader mandate than set out in its Terms of Reference. Nevertheless, the Mission did not even consider it necessary to analyse, confirm or disprove the information by some Member States about the alleged delivery of Sarine-filled munitions by Syrian planes from the "Shayrat" airbase.

The FFM clearly evaded fulfilling its mandate in the issue of providing Damascus with the duplicates of all the environmental and biomedical samples collected, according to the opposition, in Khan Shaykhun. The provision on handing the duplicates is enshrined in Paragraph 14 of the FFM Terms of Reference and Paragraph 18 of Part XI of the Annex on Implementation and Verification to the CWC. Specific procedures are regulated by the OPCW document titled: "Standard operating procedure off-site analysis of authentic samples" dated 1 November 2011. However this requirement has not been fulfilled, which in its turn prevents Syria from completing the national investigation of the incident in accordance with Article VII of the CWC.

The Convention demands from a State where the use of chemical weapons occurred to render assistance to the OPCW fact-finding activities. The Secretariat is supposed to create favourable conditions for the cooperation of the inspected State Party.

In the case of Khan Shaykhun, the Syrian side was practically deprived of the opportunity to render any assistance to the Secretariat in the part of the investigation that was conducted on the territory of a "neighbouring State", although it is an obligation of the Syrian Arab Republic under the Convention. The latter creates an impression: in the course of the investigation it was considered that the Syrian government was involved in this incident, whereas the FFM team is supposed to "refrain from any action or activity incompatible with their impartial and international nature of their duties", as envisaged in Paragraph 6 of the FFM Terms of Reference.

Furthermore, the establishment of identities of the interviewees (witnesses/victims) in a "neighbouring State" as well as their relation to the site of the chemical incident in Khan Shaykhun conducted without any involvement of the official authorities of the Syrian Arab Republic cause many questions as to the credibility of the data received from these persons.

Unfortunately, the Secretariat follows the abovementioned practice — in terms of its contacts with the Syrian Government — during the investigation of the alleged incident in the Syrian Al-Lataminah of March 30, 2017.

The investigation by the OPCW would have been more objective and thorough if the composition of the FFM in compliance with Paragraph 8 of the FFM Terms of Reference as well as with Paragraph 44 of the CWC (the Director-General responsibility in appointing the staff) had been formed in a balanced manner and on as wide geographical basis as possible. Contrary to the request of the Russian Federation at the 54th Meeting of the Executive Council, the Secretariat has not disclosed the list of countries, whose representatives are included in the Mission. Whereas it would seem very useful for the Executive Council to know whether the FFM has representatives of countries involved into the Syrian conflict.

Finally, the imperative of sending the OPCW inspectors to visit the "Shayrat" airbase stems even from the provisions of the decision taken at the 83rd Session of the Executive Council (EC-83/DEC.5, dated 11 November 2016), which was imposed on the Executive Council by some Member States through voting procedures. In accordance with Paragraph 10 of the abovementioned decision, "the Secretariat shall retain and promptly analyse any information or materials, including samples from the Syrian chemical weapons programme that it considers relevant to existing or future allegations of chemical weapons possession or use". In order to implement this decision the Director-General announced in his Report EC-86/DG.21, dated 21 September 2017, that the Secretariat had begun the process of analysing such information and materials, including samples. In this regard a question emerges, whether the unwillingness of the Secretariat to check the information about the presence of Sarin at the Syrian "Shayrat" airbase derives from the acceptance not only by the FFM but now by the Secretariat as well that there are no grounds to believe that the airbase is "relevant to the allegations of chemical weapons possessions or use"? If it is not the case, then the Secretariat would be well advised to immediately begin to implement the abovementioned provision of the decision, which would by default mean organising an inspection of the "Shayrat" airbase and collecting the relevant samples on site.

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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Security Council
Seventy-second year

Letter dated 20 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General*

I have the honour to transmit herewith the statement of the Ministry of Foreign Affairs of Ukraine of 1 September 2017 on the blocking of the activities of the sole temple of the Ukrainian Orthodox Church of the Kyiv Patriarchate by the Russian occupation authorities in Crimea (see annex).

I would appreciate your kind assistance in having the present letter and its annex circulated as a document of the General Assembly, under agenda item 72 (c), and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

* Reissued for technical reasons on 8 November 2017; previously issued under the symbol A/C.3/72-S/2017/798.

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Please recycle

Annex to the letter dated 20 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Ukraine on blocking the activities of the sole temple of the Ukrainian Orthodox Church of the Kyiv Patriarchate by the Russian occupation authorities in Crimea

The Ministry of Foreign Affairs of Ukraine condemns blocking of the activities of the Holy Equal-to-the-Apostles Princes Vladimir and Olga temple, the sole and only acting temple in Simferopol of the Crimean Eparchy of the Ukrainian Orthodox Church of the Kyiv Patriarchate, by the occupation authorities on August 31, 2017.

The Russian occupation authorities continue their policy aimed at hindering the activities of the Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP) on the temporarily occupied territory of the Autonomous Republic of Crimea and is doing everything possible to stop its activities on the territory of Crimea. The capture of church premises has been carried out on the peninsula, its property is illegally seized, searches are carried out in its premises, and pressure is being exerted on clergymen since the beginning of the occupation of Crimea by the Russian Federation. Such actions of the occupation authorities are systematic violations of fundamental human rights and freedoms, in particular freedom of conscience and religion, norms of international law.

The Ministry of Foreign Affairs of Ukraine demands from the Russian Federation to restore unhindered access of the UOC-KP believers to the temple in Simferopol immediately, to stop religious persecution and interference in the activities of the Crimean eparchy of the UOC-KP and to ensure fulfillment of obligations under international law.

The Ministry of Foreign Affairs of Ukraine calls upon the international community, in particular the European Union and its member states, the United States, Canada and other democratic countries, international organizations, in particular the United Nations, the Council of Europe and the OSCE to condemn the attack on the Ukrainian temple in Simferopol.

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Security Council
Seventy-second year

Letter dated 20 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General*

I have the honour to transmit herewith the comment of the Ministry of Foreign Affairs of Ukraine of 8 September 2017 on the groundless arrest by the FSB of the Russian Federation of a citizen of Ukraine, Pavlo Grib (see annex).

I would appreciate your kind assistance in having the present letter and its annex circulated as a document of the General Assembly, under agenda item 72 (c), and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

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Please recycle

Annex to the letter dated 20 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Comment of the Ministry of Foreign Affairs of Ukraine on the groundless arrest of the FSB of the Russian Federation of a citizen of Ukraine Pavlo Grib

The Ministry of Foreign Affairs of Ukraine expresses its strong protest to the Russian side on the groundless arrest on August 25, 2017, of the 19-year-old citizen of Ukraine Pavlo Grib and his imprisonment in Krasnodar, the Russian Federation.

The Ministry strongly condemns the persecution by the Russian authorities of citizens of Ukraine in Russia and abroad, the groundless arrests of Ukrainians, violations of their right to a fair trial and condemnations on fabricated politically motivated cases.

Russia's practice of systematical violation the provisions of the Consular Convention between Ukraine and the Russian Federation regarding timely information on the arrests of Ukrainian citizens (within 3 days from the moment of arrest) and condoning the right of the consul of Ukraine to visit an arrested or convicted compatriot is extremely unacceptable. In the case of the arrest of Pavlo Grib, a message from the FSB Office in the Krasnodar as of August 25, 2017, was sent to the Consulate General of Ukraine in Rostov-on-Don by registered letter only on August 31, 2017 and received by the consular post on September 7, 2017 — 14 days after the arrest.

The Ministry of Foreign Affairs of Ukraine requires the Russian side to provide immediately access for Ukrainian consuls to arrested Ukrainian citizen Pavlo Grib, comprehensive information on the place, reasons and circumstances of his arrest, conditions of detention and to ensure his immediate return to Ukraine.

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Letter dated 20 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General*

I have the honour to transmit herewith the statement of the Ministry of Foreign Affairs of Ukraine of 11 September 2017 on the decision of the Crimean occupation authorities in the case of Ahtem Ciygoz (see annex).

I would appreciate your kind assistance in having the present letter and its annex circulated as a document of the General Assembly, under agenda item 72 (c), and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

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Annex to the letter dated 20 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Statement of the MFA of Ukraine on the decision of the Crimean occupation authorities in the case of Ahtem Ciygoz

The Ministry of Foreign Affairs of Ukraine expresses its resolute protest over the illegal sentence of Ukrainian citizen Ahtem Ciygoz by the Russian occupation authorities on the territory of the Autonomous Republic of Crimea to 8 years of imprisonment.

Ahtem Ciygoz, the Deputy Chairman of the Mejlis of the Crimean Tatar People, was punished by the Russian occupants for his support of territorial integrity of Ukraine and his fight for human rights. It is yet another manifestation of Russia's repressive policy on the Crimean peninsula, aimed at suppressing dissent voices and opposition to the Kremlin regime, as well as yet another evidence of discrimination against Crimean Tatars.

We demand from the Russian Federation to release Ahtem Ciygoz, to stop repressions against Crimean Tatars and Ukrainians on the territory of the occupied Crimea and to restore the sovereignty and territorial integrity of Ukraine.

We call on the international community to consistently respond to the cynical human rights violations in Crimea and to strengthen the political and diplomatic pressure on the Kremlin in order to ensure the return of the aggressor state to the tenets of international law.

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Security Council
Seventy-second year

Letter dated 27 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General*

I have the honour to enclose herewith a comment by the Ministry of Foreign Affairs of Ukraine, dated 22 September 2017, on the "sentence" of the so-called "Zaliznychnyi district court of the city of Simferopol" in the case of a citizen of Ukraine, Mykola Semena (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 72 (c), and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

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Annex to the letter dated 27 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Comment of the Ministry of Foreign Affairs of Ukraine on the "sentence" of the so-called "Zaliznychnyi district court of the city of Simferopol" in the case of a citizen of Ukraine, Mykola Semena

The Ministry of Foreign Affairs of Ukraine expresses its resolute protest over yet another shameful act of infringement of the fundamental freedoms and the rights of Ukrainian citizen, journalist Mykola Semena.

The groundless and politically motivated "sentence" of Mykola Semena by the occupation court to 2.5 years in prison with probation proves again that repressions are targeted by the aggressor state against the residents of the occupied Ukrainian territory of the Autonomous Republic of Crimea and the city of Sevastopol.

The Ministry of Foreign Affairs of Ukraine calls upon the foreign governments and international human rights organizations not to leave the new attack by Russia, the aggressor state, against fundamental freedoms on the territory of the temporarily occupied Crimea without response.

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Agenda item 72 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Security Council
Seventy-second year

Letter dated 27 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General*

I have the honour to enclose herewith a comment by the Ministry of Foreign Affairs of Ukraine, dated 25 September 2017, on the Moscow City Court's decision in the case of Roman Sushchenko, who is illegally detained in Russia (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 72 (c), and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

* Reissued for technical reasons on 8 November 2017; previously issued under the symbol A/C.3/72/6-S/2017/817.

17-17199* (E) 091117

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Annex to the letter dated 27 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Comment of the Ministry of Foreign Affairs of Ukraine on the Moscow City Court's decision in the case of Roman Sushchenko, who is illegally detained in Russia

The Ministry of Foreign Affairs of Ukraine expresses its strong protest with regard to the Moscow City Court's decision as of September 25, 2017, on the two months extension of detention of Ukrainian journalist Roman Sushchenko, who is illegally detained in Russia under the fabricated charges.

The unjustified detention of Ukrainian journalist in the Russian Federation under politically motivated charges of espionage is yet another proof of the absence of a justice system and the right to a fair trial in this country.

We call on the international community, international human rights institutions to take all possible legal, political and economic measures to release and return to Ukraine its citizens, who are illegally detained on the territory of Russia under fabricated, politically motivated charges.

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Letter dated 27 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General*

I have the honour to enclose herewith a comment by the Ministry of Foreign Affairs of Ukraine on the thematic report of the Office of the United Nations High Commissioner for Human Rights entitled "Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)" (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 72 (c), and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

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Letter dated 27 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Comment of the Ministry of Foreign Affairs of Ukraine on the thematic report of the Office of the United Nations High Commissioner for Human Rights entitled "Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)"

The Ministry of Foreign Affairs of Ukraine welcomes the thematic report of the Office of the United Nations High Commissioner for Human Rights "Situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)" launched on September 25. This report is a result of the hard fact finding work on the systematic violations of human rights by the Russian Federation in the illegally occupied Crimea, the logical summarizing and generalization of human rights violations recorded and documented by OHCHR during the period from February 2014 to September 2017.

The scale of internationally wrongful acts and human rights violations committed by the Russian occupation authorities in the Crimea prove that the Russian Federation blatantly violates its international legal obligations under The Hague and Geneva Conventions. In addition to the facts of explicit crimes committed by the occupation authorities in the Crimea against the Crimean Tatars, Ukrainians and all those who continue to bravely oppose the Russian occupation, the report contains a number of specific cases of illegal detention, enforced disappearances and abductions, extrajudicial executions and other violations of fundamental human rights and freedoms.

We proceed from the premises that the report is the first step towards the systematic implementation of the provisions of the UNGA Resolution 71/205, which, together with the GA Resolution 68/262, are the basic documents that confirm the territorial integrity of Ukraine, condemn the temporary occupation the part of Ukraine's territory — AR Crimea and Sevastopol — by the Russian Federation, and they do not recognize the annexation of the peninsula.

We emphasize once again, that only with the comprehensive implementation of the above-mentioned UNGA resolutions and the consolidation of international pressure on Russia as an occupying power, one can achieve a partial improvement of the human rights situation, including the implementation by Russia of the order of the International Court of Justice in case Ukraine vs the Russian Federation regarding the application of the International Convention on the Elimination of All Forms of Racial Discrimination.

Ukraine, at all stages of the preparation of the report, supported the OHCHR and the UN Human Rights Mission in Ukraine activities, having spared no effort to ensure that the Mission's experts were able to access the temporarily occupied territory of Crimea. Unfortunately, contrary to the requirements of the Resolution 71/205 and the numerous calls of the international community, this time the Russian Federation has once again ignored the UN mandate. As a result, the UN observers have been prevented from visiting the occupied territory of the peninsula.

Ensuring permanent direct international monitoring of the situation by the existing conventional and institutional mechanisms of the United Nations and other international organizations that, among other factors, will play a role of the control mechanism to monitor Russia's compliance with its obligations as an occupying

power, in accordance with international humanitarian law, remains one of the priorities of the international democratic community.

We call upon the Secretary-General and the High Commissioner of the United Nations to continue their efforts to fully implement Resolution 71/205.

We expect that the international community will continue the systematic pressure on the Russian Federation with the aim to end the violations of human rights and fundamental freedoms in the illegally occupied Crimea as well as to achieve the de-occupation of the peninsula.

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Letter dated 27 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General*

I have the honour to enclose herewith a statement by the Ministry of Foreign Affairs of Ukraine on the illegal sentencing of the Deputy Head of the Mejlis of the Crimean Tatar People, Ilmi Umerov (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 72 (c), and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

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Annex to the letter dated 27 September 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Ukraine on the illegal sentencing of the Deputy Head of the Mejlis of the Crimean Tatar People, Ilmi Umerov

The Ministry of Foreign Affairs of Ukraine expresses its resolute protest against the criminal, illegal and politically motivated sentence towards one of the leaders of Crimea Tatars' national movement, Deputy Head of Mejlis Mr. Ilmi Umerov, whom the Kremlin's occupation authorities ordered to imprison for 2 years in penal settlement. The sentence looks especially cynical taking into account Mr. Umerov's age and the state of health. The lack of proper health assistance in imprisonment may lead to catastrophic consequences for him.

In spite of international pressure, Russia continues to exercise its shameful policy of oppression against independent leaders of the occupied Crimea, including Crimea Tatars, with a view of intimidating all pro-Ukrainian community of the peninsula. The Russian occupants do not only commit the gross violations of fundamental human rights and freedoms, but also ignore the relevant decisions taken by the international institutions, in particular UN General Assembly Resolution "Situation of Human Rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)" of 19 December 2016 and the International Court of Justice Order on the Provisional Measures within the claim of Ukraine against Russia on the application of the International Convention on the Elimination of All Forms of Racial Discrimination.

The Ministry of Foreign Affairs of Ukraine calls on international partners of Ukraine to properly assess this illegal and politically motivated decision as well as to demand from Russia to immediately release Mr. Umerov. Only strong international political solidarity strengthened with economic sanctions is able to counter the Kremlin's criminal and aggressive policy as well as to stop the full destruction of fundamental human rights and freedoms in the temporarily occupied Crimean peninsula.